

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT COURT OF NEW MEXICO

STATE OF NEW MEXICO <i>ex rel.</i>)	
State Engineer, <i>et al.</i> ,)	69cv07941-MV/KK
)	
Plaintiffs,)	RIO CHAMA ADJUDICATION
)	
v.)	Section 3, Rio Cebolla
)	
ROMAN ARAGON, <i>et al.</i> ,)	Subfile Nos. CHCB-001-0007,
)	CHCB-002-0001B, CHCB-002-0002C
Defendants.)	CHCB-002-0009
_____)	

STATE’S WITHDRAWAL OF OBJECTION TO DEFENDANTS’ PROPOSED EXHIBIT
E.3 – THE VENCESLAO MARTINEZ DITCH DECLARATION
IN RIO CHAMA, SECTION 3, RIO CEBOLLA SUBFILES

Pursuant to this Court’s Order Granting Motion to Extend Deadlines (Doc. 11164, filed October 4, 2016), on Wednesday, October 26, the State of New Mexico (the “State”) filed its Objections to Defendants’ Proposed Exhibits (Doc. 11181). Included in the State’s objections was Defense Exhibit E.3 – the Venceslao Martinez Ditch Declaration under OSE File No. 0579.

After studying the Defendants’ Chacon and Quintana Proposed Findings of Fact and Conclusions of Law (Doc. 11183, filed October 25, 2016), and the claims raised therein, the State finds that the Venceslao Martinez Ditch Declaration may be relevant under Fed.R.Evid.401. Accordingly, the State hereby withdraws its objection to Defense Exhibit E.3, the Venceslao Martinez Ditch Declaration.

Respectfully submitted,

/s/ Felicity Strachan
Felicity Strachan

Special Assistant Attorney General
Office of the State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
Telephone: (505) 827-3889
Fax: (505) 827-3887
felicity.strachan@state.nm.us
Attorney for the State of New Mexico *ex rel.*
New Mexico State Engineer

Certificate of Service

I certify that on October 31, 2016, I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail.

/s/ Felicity Strachan
Felicity Strachan